Approved for use through 05/31/2009. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **NOTICE OF APPEAL FROM THE EXAMINER TO** Docket Number (Optional) THE BOARD OF PATENT APPEALS AND INTERFERENCES 2815-0347PUS1 In re Application of Brian FROSTRUP et al. Application Number Filed 10/566,384-Conf. #5532 January 30, 2006 2-METHOXYMETHYL-3-(3,4-DICHLOROPHENYL)-8-AZABICYCLO[3.2.1]OCTANE TARTRATE SALTS Art Unit Examiner 4161 V. Rodriguez-Garcia Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) 540.00 Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: A check in the amount of the fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director has already been authorized to charge fees in this application to a Deposit Account. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2448 A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. WARNING: INFORMATION ON THIS FORM MAY BECOME PUBLIC. CREDIT CARD INFORMATION SHOULD NOT BE INCLUDED ON THIS FORM. PROVIDE CREDIT CARD INFORMATION AND AUTHORIZATION ON PTO-2038. I am the applicant /inventor. Signature assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) MaryAnne Armstrong, Ph.D. is enclosed. (Form PTO/SB/96) Typed or printed name x attorney or agent of record. 40,069 Registration number (703) 205-8000 Telephone number attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. June 1, 2009 Date NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below* *Total of forms are submitted.